

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BOOZ ALLEN HAMILTON, INC., et al.,

Defendants.

Case No.: 1:22-cv-01603-CCB

**DEFENDANTS' MOTION TO COMPEL INVESTIGATION MATERIALS WITHHELD
ON THE BASIS OF PRIVILEGE AND MEMORANDUM IN SUPPORT**

Pursuant to Local Civil Rule 104.8, Defendants move to compel Plaintiff United States of America (“DOJ”) to produce investigation materials that it has improperly withheld based on the attorney-client, work product, and deliberative process privileges.

INTRODUCTION

When DOJ assesses a merger, it conducts an investigation that includes collecting documents, data, and other information from the merging parties and other market participants. It is customary during this investigation stage for DOJ to contact and interview the merging parties’ customers and competitors. DOJ relies on the information it learns to assess the legality of the merger, and ultimately to decide whether to sue to block it. If DOJ decides to challenge the deal, DOJ must produce its investigation file to the defendants at the outset of the litigation. Because these cases often move very quickly, immediate access to DOJ’s investigation materials is critically important to the defendants’ ability to defend themselves because the materials shed light on the factual and evidentiary support—or lack thereof—of DOJ’s claims.

But unlike other merger cases, despite insisting on a hearing in mid-September, and an incredibly aggressive schedule for fact discovery – which closes in only 10 days – DOJ has yet to produce its full set of investigation materials to Defendants. Instead, DOJ has withheld *all* of its substantive communications with the National Security Agency (“NSA”), the *only* customer DOJ claims will be harmed if the Proposed Transaction closes, as well as its communications with the Department of Defense (“DOD”). Though DOJ’s privilege log confirms that these communications were primarily, if not solely, to collect information, DOJ claims that they are protected by some combination of the attorney-client, deliberative process, and work product privileges.

These privilege claims are baseless. DOJ asserts that NSA is DOJ’s client because DOJ has represented NSA’s “interests” since it began its investigation in March 2022. But concern

over an entity's *interests* does not make an attorney-client relationship—otherwise, every communication between DOJ attorneys and other federal agencies in the course of all of DOJ's investigations would be privileged. Nor is gathering facts from another agency in the course of an investigation part of DOJ's or NSA's deliberative process; privileges are not a device to hide facts. DOJ's position is an unprecedented expansion of the attorney-client and deliberative process privileges that would not only harm Defendants' ability to defend against DOJ's claims, but would more broadly undermine the public interest in government transparency. DOJ cannot meet its burden to show that these privileges apply, much less that they allow it to hide the facts that underlie the complaint.

BACKGROUND

On July 18, 2022, this Court entered the Stipulated Protective Order, pursuant to which DOJ agreed to produce its Investigation Materials within four days. ECF No. 71, ¶¶ 7, 44. DOJ subsequently produced only non-substantive documents involving its communications with NSA, and on July 27 produced a privilege log invoking the attorney-client privilege for 221 other documents, 212 of which were withheld solely on that basis. *See* Ex. 1. Most of the entries described the communications as “requesting” and/or “conveying information to facilitate the rendition of legal advice,” without specifying the intended recipient of the “legal advice.” *Id.* None of these entries indicate that any legal advice was actually rendered until two days before the DOJ filed its complaint. When Defendants questioned the basis for DOJ's assertion that NSA was DOJ's client throughout DOJ's entire investigation, Ex. 2, DOJ responded that communications “regarding the legal policies and issues surrounding Defendants' proposed transaction, which directly implicate those agencies' interests in fair competition, are protected by the attorney-client privilege,” Ex. 3 at 2. DOJ reiterated this position during the parties' August 5 meet and confer.

DOJ drastically changed course, however, when Defendants continued to press the issue. *See* Ex. 4. On August 9, DOJ produced a completely *new* log, abandoning its attorney-client privilege claim over many of the withheld documents, and asserting the deliberative process privilege instead. DOJ is now withholding, in full or in part, 214 documents based on the deliberative process privilege, 47 of which are withheld solely on *that* basis. *See* Ex. 5. The new log further claims work product protection over 103 documents (an increase of 94) and attorney-client privilege over 148 documents. DOJ also identified 152 documents that were only partially privileged and were incorrectly withheld in full, as well as 7 documents that were not at all privileged. It produced those documents yesterday, but redacted all substantive information exchanged with NSA and DOD. Neither this new log nor the production cures the fundamental problems with DOJ's privilege claims. Most importantly, DOJ continues to withhold communications "relating to requests for information" or "conveying information" between NSA and DOJ in connection with DOJ's investigation, even though the descriptions do not show that the privileges apply. Defendants raised this and other issues with DOJ on August 10. *See* Ex. 6. DOJ corrected some errors in the log, but failed to substantiate its privilege claims. *See* Ex. 7.

ARGUMENT

The attorney-client privilege "applies only to '[c]onfidential disclosures by a client to an attorney made in order to obtain legal assistance.'" *In re Grand Jury Subpoena*, 415 F.3d 333, 338 (4th Cir. 2005) (citation omitted). A privilege log must set forth "specific facts that, if credited, would suffice to establish each element of the privilege or immunity that is claimed." *Bowne of N.Y.C., Inc. v. AmBase Corp.*, 150 F.R.D. 465, 474 (S.D.N.Y. 1993) (citation omitted). "[O]nce the claims of privilege/protection have been challenged by the requesting party, the producing party must then establish an evidentiary basis to support the privilege/protection claim." *Victor Stanley, Inc. v. Creative Pipe, Inc.*, 250 F.R.D. 251, 254 n.2 (D. Md. 2008).

DOJ's privilege log does not show that (1) NSA or any agency was DOJ's client during DOJ's investigation or (2) that any communication was made so that DOJ could provide legal advice *to those agencies*. The many communications "requesting" and/or "conveying information" are consistent with DOJ simply gathering information from NSA in the course of its investigation. DOJ has not provided any details to suggest that the *purpose* of these communications was anything other than to collect facts for use in its own investigation, nor has it explained how the attorney-client privilege could possibly have applied from the outset of its investigation, when it was collecting facts to assess the Proposed Transaction as it does in any merger investigation. The fact that the investigation may have implicated the agencies' "interests in fair competition," *see* Ex. 3, does not make those agencies DOJ's clients *viz* that investigation, or indicate that the purpose of the relevant communications was to render legal advice to them.

DOJ's newly-raised claims of deliberative process privilege similarly fail. The deliberative process privilege only protects documents that are both "predecisional" (i.e., "generated before the agency's final decision on the matter") and "deliberative" (i.e., "they were prepared to help the agency formulate its position"). *U.S. Fish & Wildlife Serv. v. Sierra Club, Inc.*, 141 S. Ct. 777, 786 (2021). Here, DOJ has not described what agency decisions were being deliberated, or by whom for any particular document. Nor is it clear how communications "relating to requests for information and conveying information," Ex. 5, can constitute DOJ's or NSA's deliberative process rather than the investigative process DOJ routinely engages in. The deliberative process privilege does not protect the exchange of facts and information in the course of an investigation. *See Ethyl Corp. v. E.P.A.*, 25 F.3d 1241, 1250 (4th Cir. 1994).

Even if the privilege did apply, however, the Court should compel the production of these documents because Defendants cannot defend themselves without their disclosure. *See NAACP v.*

Bureau of Census, 401 F. Supp. 3d 608, 617 (D. Md. 2019). The deliberative process privilege applies only where the “public interest in nondisclosure” outweighs “the need for the information as evidence.” *Id.* (citation omitted). In making this determination, courts consider “(1) the relevance of the evidence to the lawsuit; (2) the availability of alternative evidence on the same matters; (3) the government’s role (if any) in the litigation, and (4) ‘the extent to which disclosure would hinder frank and independent discussion regarding contemplated policies and decisions.’” *Id.* (citation omitted). Here, information exchanged between DOJ and the only other entity at issue in this case—the sole customer that will allegedly be harmed and that controls the alleged relevant market (the OD bid)—is highly relevant and must be produced to enable Defendants to defend against DOJ’s claims. This evidence is simply not available elsewhere.

Finally, DOJ’s work product claims are not valid. Many of the 103 communications withheld on work product grounds are described as simply “requesting” and/or “conveying information,” identical to those over which DOJ has asserted the other privileges. *See, e.g.*, Ex. 5, at USDOJ-TEMP003-00000265. The descriptions of these communications do not indicate they are the work product “of the attorney done in preparation for litigation.” *In re Grand Jury*, 33 F.3d 342, 348 (4th Cir. 1994). Rather, they describe the same kind of investigative information-gathering that DOJ routinely does, and that did not support such privilege claims for other documents in DOJ’s log. And to the extent they contain protected information (attorney impressions, for example), the documents should be produced with those portions redacted. *See In re Royal Ahold N.V. Secs. & ERISA Litig.*, 230 F.R.D. 433, 437 (D. Md. 2005) (Blake, J.).

CONCLUSION

For the foregoing reasons, Defendants respectfully request that this Court order DOJ to produce, in full, all documents that DOJ has improperly withheld as privileged. Defendants request *in camera* review of a representative subset documents, on which it will confer with DOJ.

Dated: August 12, 2022

/s/ Molly M. Barron

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*Attorneys for Defendants Booz Allen Hamilton
Inc. and Booz Allen Hamilton Holding
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CERTIFICATE OF SERVICE

I, Molly M. Barron, certify that this 12th day of August, 2022, I caused a true and correct copy of the foregoing to be served upon all counsel of record, to include the below, via electronic mail.

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/s/ Molly M. Barron

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BOOZ ALLEN HAMILTON, INC., et al.,

Defendants.

Case No.: 1:22-cv-01603-CCB

**[PROPOSED] ORDER GRANTING DEFENDANTS' MOTION TO
COMPEL INVESTIGATION MATERIALS WITHHELD ON THE BASIS
OF PRIVILEGE**

Defendants have moved for this Court to grant Defendants' Motion to Compel Investigation Materials withheld in whole or in part by Plaintiff on grounds of attorney-client, work product, and/or deliberative process privilege. Upon consideration of the pleadings, memoranda, exhibits, and any response thereto:

It is ORDERED that Defendants' Motion to Compel Investigation Materials Withheld on the Basis of Privilege is GRANTED;

It is further ORDERED that Plaintiff shall produce, in full (1) all documents withheld, in whole or in part, solely on the basis of the deliberative process privilege; (2) all documents withheld, in whole or in part, on grounds on the deliberative process and attorney-client privilege; and (3) all documents withheld on the ground of attorney work product, insofar as those documents are described as "requesting" or "conveying" information and do not purport to contain attorney mental impressions.

It is further ORDERED that Plaintiff shall review all documents not produced in full for

factual material and produce to Defendants updated copies with that factual material unredacted.

SO ORDERED, this _____ day of August, 2022.

Judge Catherine C. Blake
United States District Judge

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA,

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Case No.: 1:22-cv-01603-CCB

**INDEX OF EXHIBITS IN SUPPORT OF DEFENDANTS'
MOTION TO COMPEL INVESTIGATION MATERIALS
WITHHELD ON THE BASIS OF PRIVILEGE AND REPLY IN SUPPORT**

Exhibit No.	Description	Filing Status
1	Plaintiff's Privilege Log (July 27, 2022)	Under Seal
2	Letter from A. Rathbun & T. Stenerson to K. Quin (August 1, 2022)	Under Seal
3	Letter from K. Quin to A. Rathbun & T. Stenerson (August 3, 2022)	Under Seal
4	Letter from M. Sullivan & T. Stenerson to J. Owen (August 7, 2022)	Public
5	Plaintiff's Privilege Log (August 9, 2022)	Public
6	Email from C. Brown to A. Andresian (August 10, 2022)	Public
7	Email from A. Andresian to C. Brown (August 10, 2022)	Public
8	Plaintiff's First Amended Objections and Responses to Defendants' Second Set of Interrogatories (August 12, 2022)	Public

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

United States of America,

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Booz Allen Hamilton, Inc. et al.,

Defendant.

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Case No. 1:22-cv-01603-CCB

NOTICE OF FILING OF DOCUMENT UNDER SEAL

Check one.



Exhibit 1 which is an attachment to Defendants' Motion to Compel Production
Investigation Materials Withheld on the Basis of Privilege, Ex. A to the Certificate of Compliance with LR 104.7

will be electronically filed under seal within 24 hours of the filing of this Notice.



(title of document)

will be electronically filed under seal within 24 hours of the filing of this Notice.

I certify that at the same time I am filing this Notice, I will serve copies of the document
identified above by electronic mail.

August 18, 2022

Date

/s/ G. Charles Beller

Signature

G. Charles Beller (Bar No. 30372)

Printed Name and Bar Number

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

United States of America,

Plaintiff,

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Booz Allen Hamilton, Inc. et al.,

Defendant.

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Case No. 1:22-cv-01603-CCB

NOTICE OF FILING OF DOCUMENT UNDER SEAL

Check one.



Exhibit 2 which is an attachment to Defendants' Motion to Compel Production
Investigation Materials Withheld on the Basis of Privilege, Ex. A to the Certificate of Compliance with LR 104.7

will be electronically filed under seal within 24 hours of the filing of this Notice.



(title of document)

will be electronically filed under seal within 24 hours of the filing of this Notice.

I certify that at the same time I am filing this Notice, I will serve copies of the document
identified above by electronic mail.

August 18, 2022

Date

/s/ G. Charles Beller

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IN THE UNITED STATES DISTRICT COURT
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Case No. 1:22-cv-01603-CCB

NOTICE OF FILING OF DOCUMENT UNDER SEAL

Check one.



Exhibit 3 which is an attachment to Defendants' Motion to Compel Production
Investigation Materials Withheld on the Basis of Privilege, Ex. A to the Certificate of Compliance with LR 104.7

will be electronically filed under seal within 24 hours of the filing of this Notice.



(title of document)

will be electronically filed under seal within 24 hours of the filing of this Notice.

I certify that at the same time I am filing this Notice, I will serve copies of the document
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August 18, 2022

Date

/s/ G. Charles Beller

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EXHIBIT 4

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August 7, 2022

Jay Owen
Trial Attorney
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Re: *United States v. Booz Allen Hamilton Holding Corp. et al.*, No. 1:22-cv-01603-CCB (D. Md.)

Dear Mr. Owen,

We write regarding the Department of Justice's ("DOJ") July 27, 2022 privilege log, and the DOJ's subsequent explanations of its privilege claims. Defendants continue to have serious concerns that the DOJ has withheld on attorney-client privilege grounds hundreds of communications with the National Security Agency ("NSA"), the Department of Defense ("DOD") and other agencies within the DOD that occurred throughout the DOJ's investigation into the proposed transaction.

The DOJ's July 27, 2022 privilege log does not provide sufficient detail for Defendants to fully evaluate the DOJ's assertion that the purpose of any of its withheld communications with the NSA or any other agencies within DOD was to provide legal advice or assistance, or precisely when, if at any time, the DOJ formed an attorney-client relationship with the NSA or these other agencies. Nearly all of the entries on the log contain the same description that the communication was "requesting" and/or "conveying information to facilitate the rendition of legal advice relating to the proposed acquisition and its legal impact." These descriptions are inadequate. In addition to the fact they are nearly identical for the majority of the withheld documents, which is improper, they do not indicate that the purpose of each communication was for the DOJ to provide legal assistance to the DOD agencies rather than simply to collect information relevant to the DOJ's own investigation, which would not support a privilege claim. Nor do they explain the nature of the information conveyed or how it relates to the legal advice the NSA and other agencies allegedly sought from the DOJ. It is also unclear how NSA's or OSD's requests for information *from the DOJ* could possibly have been made for the purpose of the DOJ rendering legal advice to those agencies. *See, e.g.*, USDOJ-TEMP001-00000154; USDOJ-TEMP001-00000418.

DOJ's privilege log is all the more confusing because it contains 91 instances of DOJ or NSA "requesting information" from the other—between March 23, 2022 and May 24, 2022. During those two months, the entries on the log do not show that any entity that received one of the 91 "requests" for information actually provided any such information to the other. Additionally, according to the log, not only was no information actually provided during that time,

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but the DOJ, NSA, and other agencies also did not actually discuss any of the information that was apparently requested. This is not plausible and further suggests that DOJ's privilege descriptions are incorrect and inadequate.

The DOJ's log does not suggest the existence of an attorney-client relationship throughout the DOJ's investigation. There are no entries indicating the *rendition* of legal advice until entry 203 of 221, and this entry purports to contain legal advice *from NSA to DOJ*. See USDOJ-TEMP009-00000131. Five earlier entries—all sent within the span of two minutes on May 24—describe the “discuss[on of] legal advice,” but none of these entries indicate that the DOJ rendered legal advice to the NSA or any other agency within DOD.

Defendants request that the DOJ provide a corrected privilege log by noon on Tuesday, August 9, 2022, with descriptions sufficient to allow Defendants to fully evaluate the DOJ's claim of privilege over the withheld communications. The revised descriptions should include (1) a more accurate description of each document, *see Burlington N. & Santa Fe Ry. Co. v. U.S. Dist. Ct. for Dist. of Mont.*, 408 F.3d 1142, 1147 (9th Cir. 2005) (“a proper assertion of privilege must be more specific than a generalized, boilerplate objection” (citing Fed. R. Civ. P. 26)); (2) the identity of the entity that received legal advice, and information about how the information requested, conveyed or discussed related to that advice, *see Bowne of New York City, Inc. v. AmBase Corp.*, 150 F.R.D. 465, 474 (S.D.N.Y. 1993) (privilege log must provide “specific facts that, if credited, would suffice to establish each element of the privilege or immunity that is claimed” (citation omitted)); and (3) the identity of which agency is claiming privilege over the communication, *see Victor Stanley, Inc. v. Creative Pipe, Inc.*, 250 F.R.D. 251, 265 (D. Md. 2008) (party asserting the privilege must show that the privilege holder “is or sought to become a client” (citation omitted)); *id.* at 254 n.2 (“once the claims of privilege/protection have been challenged by the requesting party, the producing party must then establish an evidentiary basis to support the privilege/protection claim”).¹

Additionally, please confirm the following representations that the DOJ made during the parties' meet and confer on August 5. The DOJ stated during that call that:

- The DOJ has had an attorney-client relationship with the NSA, the DOD, and all other agencies within the DOD, including the National Reconnaissance Office and Office of the Secretary of Defense (“OSD”), since at least the beginning of the DOJ's investigation into the proposed transaction.
- The DOJ and the NSA each own the privilege with respect to documents that have been withheld from production. But the DOJ will not identify which agency has asserted the privilege for each document that has been withheld on privilege grounds because it is the DOJ's position that “the United States” has asserted the privilege for all of the documents.

¹ Defendants reiterate their request conveyed during the parties' August 5 meet and confer that the DOJ review the attorney designations in the privilege log and confirm that all are accurate. Defendants believe that at least one non-attorney may have been designated as an attorney. See USDOJ-TEMP003-00000260.

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The DOJ also will not identify which agency can choose to waive the privilege for any withheld document.

- The NSA is not directing the DOJ on how to conduct this lawsuit, and the lawsuit was not brought on behalf of the NSA. Rather, the DOJ has filed this lawsuit “on behalf of the United States.”

Please correct any of these statements by noon on August 9, 2022 if they do not accurately reflect the DOJ’s position regarding its privilege assertions. Please also provide any case law that supports the DOJ’s privilege assertions so that Defendants may consider it, as well the statutory or regulatory authority under which DOJ is purporting to represent NSA. *See, e.g.*, 28 U.S.C. § 512.

Regards,

/s/Maggy M. Sullivan

Marguerite M. Sullivan
of LATHAM & WATKINS LLP

/s/Todd M. Stenerson

Todd M. Stenerson
of SHEARMAN & STERLING LLP

EXHIBIT 5

[illegible]

[illegible]

[illegible]

				Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>; Wessels, James H CIV OSD OUSD A-S (USA) <james.h.wessels.civ@mail.mil>; Pocha, Jyothi A CTR OSD OUSD A-S (USA) <jyothi.a.pocha.ctr@mail.mil>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>					
USDOJ-TEMP001-00000382	6/7/2022 8:08	Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorneys Anne T.*, Caleb A.*, and Donald F.* and DoD attorney S. Prasad* requesting information to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000384	6/7/2022 8:47	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612821A20364-QUINKC>	Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorneys Anne T.*, Caleb A.*, and Donald F.* and DoD attorney S. Prasad* requesting information to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000386	6/7/2022 9:18	Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>	Wessels, James H CIV OSD OUSD A-S (USA) <james.h.wessels.civ@mail.mil>; Pocha, Jyothi A CTR OSD OUSD A-S (USA) <jyothi.a.pocha.ctr@mail.mil>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorneys Anne T.*, Caleb A.*, and Donald F.* and DoD attorney S. Prasad* requesting information to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000388	6/7/2022 9:49	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; A., Caleb H <changel@nsa.gov>; F., Donald <dwwftzg@nsa.gov>	Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between NSA attorneys Caleb A., Donald F.* and Anne T.* and DOJ attorney K. Quin* requesting and conveying information to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000390	6/7/2022 10:03	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612821A20364-QUINKC>	T., Anne <actinoc@nsa.gov>; A., Caleb H <changel@nsa.gov>; F., Donald <dwwftzg@nsa.gov>	Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DoD attorneys Caleb A.* and Donald F.*, DOJ attorney K. Quin*, and NSA attorney Anne T.* requesting and conveying information to facilitate the rendition of legal advice relating to United States' legal claims concerning potential litigation.	
				Wessels, James H CIV OSD OUSD A-S (USA) <james.h.wessels.civ@mail.mil>; Pocha, Jyothi A CTR OSD OUSD A-S (USA) <jyothi.a.pocha.ctr@mail.mil>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>; Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>; Crompton, Katherine E CIV OSD OCDAO (USA) <katherine.e.crompton.civ@mail.mil>				Redacted email communication from DOJ attorney K. Quin* to NSA attorneys Anne T.*, Caleb A.*, and Donald F.* and DoD attorney S. Prasad* requesting and conveying information to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000391	6/7/2022 10:22	Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from DOJ attorney K. Quin* to NSA attorneys Anne T.*, Caleb A.*, and Donald F.* and DoD attorney S. Prasad* requesting and conveying information to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000394	6/7/2022 13:57	Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>	Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>; Crompton, Katherine E CIV OSD OCDAO (USA) <katherine.e.crompton.civ@mail.mil>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>	Wessels, James H CIV OSD OUSD A-S (USA) <james.h.wessels.civ@mail.mil>; Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from DoD S. Prasad* to DOJ attorney K. Quin* conveying information requested by counsel concerning the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000398	6/7/2022 14:52	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612821A20364-QUINKC>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Crompton, Katherine E CIV OSD OCDAO (USA) <katherine.e.crompton.civ@mail.mil>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>	Wessels, James H CIV OSD OUSD A-S (USA) <james.h.wessels.civ@mail.mil>; Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DoD S. Prasad* and DOJ attorney K. Quin* relating to information requested by counsel concerning the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000402	6/8/2022 17:00	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; A., Caleb H <changel@nsa.gov>; F., Donald <dwwftzg@nsa.gov>	Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between NSA attorneys Caleb A.*, Donald F.* and Anne T.*and DOJ attorney K. Quin*requesting and conveying information to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000404	6/8/2022 17:53	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612821A20364-QUINKC>	T., Anne <actinoc@nsa.gov>; A., Caleb H <changel@nsa.gov>; F., Donald <dwwftzg@nsa.gov>	Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between NSA attorneys Caleb A.*, Donald F.* and Anne T.*and DOJ attorney K. Quin*requesting and conveying information to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000415	6/10/2022 10:54	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612821A20364-QUINKC>	Ricci, Brendan M CIV (USA) <brendan.m.ricci.civ@mail.mil>; Prasad, Sivram D CIV OSD OGC (USA) (sivram.d.prasad.civ@mail.mil); T., Anne <actinoc@nsa.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Fully Privileged (Withhold)	Email communication from DOJ Attorney K. Quin* to DoD attorney S. Prasad* and NSA attorney Anne T.* reflecting attorney impressions relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000416	6/10/2022 10:54	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Ricci, Brendan M CIV (USA) <brendan.m.ricci.civ@mail.mil>; Prasad, Sivram D CIV OSD OGC (USA) (sivram.d.prasad.civ@mail.mil); T., Anne <actinoc@nsa.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Fully Privileged (Withhold)	Email communication from DOJ Attorney K. Quin* to DoD attorney S. Prasad* and NSA attorney Anne T.* reflecting attorney impressions relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000417	6/10/2022 10:54	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Ricci, Brendan M CIV (USA) <brendan.m.ricci.civ@mail.mil>; Prasad, Sivram D CIV OSD OGC (USA) (sivram.d.prasad.civ@mail.mil); T., Anne <actinoc@nsa.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Fully Privileged (Withhold)	Email communication from DOJ Attorney K. Quin* to DoD attorney S. Prasad* and NSA attorney Anne T.* reflecting attorney impressions relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000418	6/10/2022 11:44	Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>; T., Anne <actinoc@nsa.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communication from DOJ Attorney K. Quin* to DoD attorney S. Prasad* and NSA attorney Anne T.* reflecting attorney impressions relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000419	6/10/2022 11:44	Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>; T., Anne <actinoc@nsa.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communication from DOJ Attorney K. Quin* to DoD attorney S. Prasad* and NSA attorney Anne T.* reflecting attorney impressions relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000420	6/10/2022 11:47	Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>	Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>; Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; T., Anne <actinoc@nsa.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communication from DOJ Attorney K. Quin* to DoD attorney S. Prasad* and NSA attorney Anne T.* reflecting attorney impressions relating to the United States' legal claims concerning potential litigation.	
USDOJ-TEMP001-00000422	6/10/2022 11:47	Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>	Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>; Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; T., Anne <actinoc@nsa.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communication from DOJ Attorney K. Quin* to DoD attorney S. Prasad* and NSA attorney Anne T.* reflecting attorney impressions relating to the United States' legal claims concerning potential litigation.	

[illegible]

[illegible]

USDOJ-TEMP003-00000221	5/19/2022 10:00	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612B21A20364-QUINKC>	T., Anne <actinoc@nsa.gov>	Quan, Albin (ATR) <Albin.Quan@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communication from NSA Attorney Anne T.* to DOJ attorney K. Quin* and NSA attorney Donald F.*
USDOJ-TEMP003-00000225	5/19/2022 10:35	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Quan, Albin (ATR) <Albin.Quan@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communication from NSA Attorney Anne T.* to DOJ attorney K. Quin* and NSA attorney Donald F.*
USDOJ-TEMP003-00000228	5/19/2022 10:36	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612B21A20364-QUINKC>	T., Anne <actinoc@nsa.gov>	Quan, Albin (ATR) <Albin.Quan@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communication from NSA Attorney Anne T.* to DOJ attorney K. Quin* and NSA attorney Donald F.*
USDOJ-TEMP003-00000232	5/19/2022 16:24	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612B21A20364-QUINKC>	T., Anne <actinoc@nsa.gov>	Quan, Albin (ATR) <Albin.Quan@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communications between NSA attorney Anne T.* and DOJ attorney K. Quin* requesting information to facilitate the rendition of legal advice and to inform the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000236	5/19/2022 17:07	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Quan, Albin (ATR) <Albin.Quan@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communications between NSA attorney Anne T.* and DOJ attorney K. Quin* requesting information to facilitate the rendition of legal advice and to inform the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000241	5/19/2022 18:40	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612B21A20364-QUINKC>	T., Anne <actinoc@nsa.gov>	Quan, Albin (ATR) <Albin.Quan@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communications between NSA attorney Anne T.* and DOJ attorney K. Quin* requesting information to facilitate the rendition of legal advice and to inform the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000247	5/20/2022 9:03	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Quan, Albin (ATR) <Albin.Quan@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communications between NSA attorney Anne T.* and DOJ attorney K. Quin* requesting information to facilitate the rendition of legal advice and to inform the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000252	5/20/2022 9:38	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612B21A20364-QUINKC>	T., Anne <actinoc@nsa.gov>	Quan, Albin (ATR) <Albin.Quan@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communication from NSA attorney Anne T.* to DOJ attorney K. Quin* and NSA attorney Donald F.*
USDOJ-TEMP003-00000257	5/23/2022 19:55	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612B21A20364-QUINKC>	T., Anne <actinoc@nsa.gov>; dwfitzg@nsa.gov	Quan, Albin (ATR) <Albin.Quan@usdoj.gov>; Miller, Noah (ATR) <Noah.Miller@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to NSA attorneys Anne T.* and Donald F.* requesting information to inform the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000258	5/24/2022 9:12	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; F., Donald <dwfitzg@nsa.gov>	Quan, Albin (ATR) <Albin.Quan@usdoj.gov>; Miller, Noah (ATR) <Noah.Miller@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communication from DOJ attorney K. Quin* to NSA attorneys Anne T.* and Donald F.* requesting information to inform the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000259	5/24/2022 9:57	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612B21A20364-QUINKC>	T., Anne <actinoc@nsa.gov>	F., Donald <dwfitzg@nsa.gov>; Quan, Albin (ATR) <Albin.Quan@usdoj.gov>; Miller, Noah (ATR) <Noah.Miller@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communication from DOJ attorney K. Quin* to NSA attorneys Anne T.* and Donald F.* requesting information to inform the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000260	5/24/2022 18:04	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612B21A20364-QUINKC>	merkeltly@nro.mil			Department of Justice	Deliberative Process; Work Product	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to NRO attorney T. Merkel* relaying attorney impressions relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000261	5/24/2022 18:06	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612B21A20364-QUINKC>	T., Anne <actinoc@nsa.gov>	Quan, Albin (ATR) <Albin.Quan@usdoj.gov>	ATR-DIA-BAH-EverWatch (ATR) <ATR.BAH-EverWatch@ATR.USDOJ.GOV>	Department of Justice	Deliberative Process; Work Product	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to NRO attorney T. Merkel* relaying attorney impressions relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000262	5/25/2022 11:13	merkeltly@nro.mil	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>			Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* and NRO attorney T. Merkel* conveying information to facilitate the rendition of legal advice and relaying attorney impressions relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000263	5/25/2022 12:57	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612B21A20364-QUINKC>	merkeltly@nro.mil	Quan, Albin (ATR) <Albin.Quan@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NRO attorney T. Merkel* conveying information to facilitate the rendition of legal advice and relaying attorney impressions relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000264	5/25/2022 19:35	Quin, Kevin (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E75BF3594C7540A88417612B21A20364-QUINKC>	T., Anne <actinoc@nsa.gov>	Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to NSA attorney Anne T.* requesting information regarding legal strategy related to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000265	5/26/2022 9:53	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>; F., Donald <dwfitzg@nsa.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* and NSA attorney Anne T.* requesting and conveying information to further the rendition of legal advice and regarding legal strategy related to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000267	5/26/2022 9:56	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>; F., Donald <dwfitzg@nsa.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* and NSA attorney Anne T.* requesting and conveying information to further the rendition of legal advice and regarding legal strategy related to the United States' legal claims concerning potential litigation.

USDOJ-TEMP003-00000327	6/16/2022 10:07	F., Donald <dwfittg@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from NSA attorney Donald F. * to DOJ attorney K. Quin* concerning litigation-related materials requested by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000329	6/16/2022 14:26	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	F., Donald <dwfittg@nsa.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from NSA attorney Donald F. * to DOJ attorney K. Quin* concerning litigation-related materials requested by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000332	6/17/2022 10:45	F., Donald <dwfittg@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from NSA attorney Donald F. * to DOJ attorney K. Quin* concerning litigation-related materials requested by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000334	6/20/2022 16:19	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	A., Caleb H <changel@nsa.gov>; F., Donald <dwfittg@nsa.gov>; T., Anne <actinoc@nsa.gov>; Ricci, Brendan M CIV (USA) <brendan.m.ricci.civ@mail.mil>; Prasad, Sivram D CIV OSD OGC (USA) (sivram.d.prasad.civ@mail.mil)	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials prepared by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000337	6/21/2022 11:48	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; A., Caleb H <changel@nsa.gov>; F., Donald <dwfittg@nsa.gov>; Ricci, Brendan M CIV (USA) <brendan.m.ricci.civ@mail.mil>; Prasad, Sivram D CIV OSD OGC (USA) (sivram.d.prasad.civ@mail.mil)	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials prepared by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000339	6/21/2022 13:02	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>; A., Caleb H <changel@nsa.gov>; F., Donald <dwfittg@nsa.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials prepared by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000341	6/21/2022 14:21	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	T., Anne <actinoc@nsa.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>; A., Caleb H <changel@nsa.gov>; F., Donald <dwfittg@nsa.gov>; Owen, Jay (ATR) <Jay.Owen@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials prepared by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP003-00000343	6/21/2022 14:21	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	T., Anne <actinoc@nsa.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>; A., Caleb H <changel@nsa.gov>; F., Donald <dwfittg@nsa.gov>; Owen, Jay (ATR) <Jay.Owen@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials prepared by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000001	6/22/2022 10:08	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	A., Caleb H <changel@nsa.gov>; F., Donald <dwfittg@nsa.gov>; T., Anne <actinoc@nsa.gov>	Owen, Jay (ATR) <Jay.Owen@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials prepared by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000002	6/22/2022 10:34	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Owen, Jay (ATR) <Jay.Owen@usdoj.gov>	Lower, Jessica M <jmlower@nsa.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from DOJ attorney K. Quin* to NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials prepared by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000003	6/22/2022 10:36	Owen, Jay (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=24019C58BAE479AA6C0A97C52798662-OWENJD>	T., Anne <actinoc@nsa.gov>; Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Lower, Jessica M <jmlower@nsa.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from DOJ attorney K. Quin* to NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials prepared by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000006	6/24/2022 18:24	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Prasad, Sivram D CIV OSD OGC (USA) (sivram.d.prasad.civ@mail.mil); Ricci, Brendan M CIV (USA) <brendan.m.ricci.civ@mail.mil>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to DoD attorney S. Prasad* requesting information to facilitate the rendition of legal advice relating to litigation-related strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000009	6/27/2022 6:53	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; F., Donald <dwfittg@nsa.gov>; A., Caleb H <changel@nsa.gov>	ATR-DIA-BAH-EverWatch-Staff <DIA-BAH-EverWatch-Staff@ATR.USDOJ.GOV>; B., Tatiana <tboza@nsa.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* to NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials requested by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000011	6/27/2022 8:34	A., Caleb H <changel@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	ATR-DIA-BAH-EverWatch-Staff <DIA-BAH-EverWatch-Staff@ATR.USDOJ.GOV>; B., Tatiana <tboza@nsa.gov>; T., Anne <actinoc@nsa.gov>; F., Donald <dwfittg@nsa.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* to NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials requested by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000013	6/27/2022 8:38	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	A., Caleb H <changel@nsa.gov>	ATR-DIA-BAH-EverWatch-Staff <DIA-BAH-EverWatch-Staff@ATR.USDOJ.GOV>; B., Tatiana <tboza@nsa.gov>; T., Anne <actinoc@nsa.gov>; F., Donald <dwfittg@nsa.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* to NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials requested by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000016	6/27/2022 8:44	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; A., Caleb H <changel@nsa.gov>; F., Donald <dwfittg@nsa.gov>	ATR-DIA-BAH-EverWatch-Staff <DIA-BAH-EverWatch-Staff@ATR.USDOJ.GOV>; B., Tatiana <tboza@nsa.gov>	Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* to NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials requested by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000019	6/27/2022 10:40	F., Donald <dwfittg@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* to NSA attorneys Caleb A. *, Donald F. *, and Anne T. * concerning litigation-related materials requested by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000021	7/21/2022 16:57				Department of Justice	Deliberative Process; Work Product	Fully Privileged (Withhold)	Draft document sent to DOJ attorney K. Quin* concerning litigation-related matters requested by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.

USDOJ-TEMP009-00000030	7/21/2022 16:58					Department of Justice	Deliberative Process; Work Product	Fully Privileged (Withhold)	Draft document sent to DOJ attorney K. Quin* concerning litigation-related matters requested by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000045	10/14/2021 16:43					Department of Justice	Deliberative Process; Work Product	Fully Privileged (Withhold)	Draft document sent to DOJ attorney K. Quin* concerning litigation-related matters requested by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000046	4/7/2022 16:26					Department of Justice	Deliberative Process; Work Product	Fully Privileged (Withhold)	Draft document sent to DOJ attorney K. Quin* concerning litigation-related matters requested by counsel to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000049	6/27/2022 11:47	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>; Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from DOJ attorney K. Quin* to DoD attorney S. Prasad* providing legal advice concerning litigation-related matters and revealing attorney impressions regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000050	6/27/2022 11:47	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>; Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from DOJ attorney K. Quin* to DoD attorney S. Prasad* providing legal advice concerning litigation-related matters and revealing attorney impressions regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000051	6/27/2022 11:50	Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from DOJ attorney K. Quin* to DoD attorney S. Prasad* providing legal advice concerning litigation-related matters and revealing attorney impressions regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000054	6/27/2022 12:00	Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>	Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>; Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from DOJ attorney K. Quin* to DoD attorney S. Prasad* providing legal advice concerning litigation-related matters and revealing attorney impressions regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000058	6/27/2022 13:15	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>; Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from DOJ attorney K. Quin* to DoD attorney S. Prasad* providing legal advice concerning litigation-related matters and revealing attorney impressions regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000073	6/27/2022 15:47	Fairman, Elizabeth (ATR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=784248A5ED674545AF6EA C1A933F835C-FAIRMAEA>	Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>; Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from DOJ attorney K. Quin* to DoD attorney S. Prasad* providing legal advice concerning litigation-related matters and revealing attorney impressions regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000075	6/27/2022 16:04	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Owen, Jay (ATR) <Jay.Owen@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communication from NSA attorney Anne T. * to DOJ attorney K. Quin* requesting attorney advice concerning the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000077	6/27/2022 17:51	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Prasad, Sivram D CIV OSD OGC (USA) (sivram.d.prasad.civ@mail.mil); Ricci, Brendan M CIV (USA) <brendan.m.ricci.civ@mail.mil>	ATR-DIA-BAH-EverWatch (ATR) <ATR.BAH-EverWatch@ATR.USDOJ.GOV>		Department of Justice	Deliberative Process; Work Product	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to DoD attorney S. Prasad* concerning litigation-related materials regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000078	7/21/2022 16:56					Department of Justice	Deliberative Process; Work Product	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to DoD attorney S. Prasad* relaying litigation-related materials concerning litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000079	6/27/2022 17:55	Prasad, Sivram D CIV OSD OGC (USA) <sivram.d.prasad.civ@mail.mil>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Ricci, Brendan M CIV OSD OUSD A-S (USA) <brendan.m.ricci.civ@mail.mil>	ATR-DIA-BAH-EverWatch (ATR) <ATR.BAH-EverWatch@ATR.USDOJ.GOV>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* and DoD attorney S. Prasad* concerning litigation-related materials regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000080	6/28/2022 14:38	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	T., Anne <actinoc@nsa.gov>; F., Donald <dwfitzg@nsa.gov>; A., Caleb H <changel@nsa.gov>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to NSA attorneys Caleb A.*, Donald F.*, and Anne T.* concerning litigation-related materials regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000081	7/21/2022 16:56					Department of Justice; Department of Defense	Deliberative Process; Work Product	Fully Privileged (Withhold)	Document sent by DOJ attorney K. Quin* to NSA attorneys Caleb A.*, Donald F.*, and Anne T.* concerning litigation-related materials regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000092	6/28/2022 15:57	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	T., Anne <actinoc@nsa.gov>			Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communication from NSA attorney Anne T. * to DOJ attorney K. Quin* forwarding information to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000093	6/28/2022 16:55	F., Donald <dwfitzg@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; T., Anne <actinoc@nsa.gov>; A., Caleb H <changel@nsa.gov>			Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* and NSA attorneys Caleb A.*, Donald F.*, and Anne T.* concerning litigation-related materials regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000094	7/21/2022 16:56					Department of Justice	Deliberative Process; Work Product	Fully Privileged (Withhold)	Draft document sent by NSA attorney Donald F.* to DOJ attorney K. Quin* and prepared at the request of counsel relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000097	6/28/2022 16:55	F., Donald <dwfitzg@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; T., Anne <actinoc@nsa.gov>; A., Caleb H <changel@nsa.gov>			Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* and NSA attorneys Caleb A.*, Donald F.*, and Anne T.* concerning litigation-related materials regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000098	7/21/2022 16:56					Department of Justice	Deliberative Process; Work Product	Fully Privileged (Withhold)	Draft document sent by NSA attorney Donald F.* to DOJ attorney K. Quin* and prepared at the request of counsel relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000101	6/28/2022 18:00	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	F., Donald <dwfitzg@nsa.gov>; T., Anne <actinoc@nsa.gov>; A., Caleb H <changel@nsa.gov>			Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* and NSA attorneys Caleb A.*, Donald F.*, and Anne T.* concerning litigation-related materials regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000102	6/28/2022 19:23	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>			Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between NSA attorney Anne T.* and DOJ attorney K. Quin* forwarding information to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.

USDOJ-TEMP009-00000104	6/28/2022 19:23	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>			Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between NSA attorney Anne T.* and DOJ attorney K. Quin* forwarding information to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000106	6/28/2022 19:25	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	T., Anne <actinoc@nsa.gov>			Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between NSA attorney Anne T.* and DOJ attorney K. Quin* forwarding information to facilitate the rendition of legal advice relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000108	6/28/2022 20:34	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	A., Caleb H <changel@nsa.gov>; F., Donald <dwfitzg@nsa.gov>; T., Anne <actinoc@nsa.gov>	ATR-DIA-BAH-EverWatch-Staff <DIA-BAH-EverWatch-Staff@ATR.USDOJ.GOV>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to NSA attorneys Caleb A.*, Donald F.* and Anne T.* discussing litigation-related materials prepared by counsel and requesting information to facilitate the rendition of legal advice relating the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000109	6/28/2022 18:17					Department of Justice	Deliberative Process; Work Product	Fully Privileged (Withhold)	Draft pleading sent by DOJ attorney K. Quin* to NSA attorneys Caleb A.*, Donald F.* and Anne T.* revealing attorney mental impressions relating the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000129	6/28/2022 20:32					Department of Justice	Deliberative Process; Work Product	Fully Privileged (Withhold)	Draft document sent by DOJ attorney K. Quin* to NSA attorneys Caleb A.*, Donald F.* and Anne T.* revealing attorney mental impressions relating the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000131	6/28/2022 23:17	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; A., Caleb H <changel@nsa.gov>; F., Donald <dwfitzg@nsa.gov>	ATR-DIA-BAH-EverWatch-Staff <DIA-BAH-EverWatch-Staff@ATR.USDOJ.GOV>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Fully Privileged (Withhold)	Email communications between DOJ attorney K. Quin* and NSA attorney Anne T.* discussing litigation-related materials prepared by counsel and requesting information to facilitate the rendition of legal advice relating the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000132	6/28/2022 23:55	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	T., Anne <actinoc@nsa.gov>	A., Caleb H <changel@nsa.gov>; F., Donald <dwfitzg@nsa.gov>; ATR-DIA-BAH-EverWatch-Staff <DIA-BAH-EverWatch-Staff@ATR.USDOJ.GOV>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorney Anne T.* discussing litigation-related materials prepared by counsel and requesting information to facilitate the rendition of legal advice relating the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000134	6/29/2022 5:53	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	A., Caleb H <changel@nsa.gov>; F., Donald <dwfitzg@nsa.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorney Anne T.* discussing litigation-related materials prepared by counsel and requesting information to facilitate the rendition of legal advice relating the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000136	6/29/2022 7:23	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	T., Anne <actinoc@nsa.gov>	A., Caleb H <changel@nsa.gov>; F., Donald <dwfitzg@nsa.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorney Anne T.* discussing litigation-related materials prepared by counsel and requesting and conveying information to facilitate the rendition of legal advice relating the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000139	6/29/2022 8:51	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	A., Caleb H <changel@nsa.gov>; F., Donald <dwfitzg@nsa.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorney Anne T.* discussing litigation-related materials prepared by counsel and requesting and conveying information to facilitate the rendition of legal advice relating the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000142	6/29/2022 10:24	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	T., Anne <actinoc@nsa.gov>	A., Caleb H <changel@nsa.gov>; F., Donald <dwfitzg@nsa.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorney Anne T.* discussing litigation-related materials prepared by counsel and requesting and conveying information to facilitate the rendition of legal advice relating the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000145	6/29/2022 10:58	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	A., Caleb H <changel@nsa.gov>; F., Donald <dwfitzg@nsa.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorney Anne T.* discussing litigation-related materials prepared by counsel and requesting and conveying information to facilitate the rendition of legal advice relating the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000149	6/29/2022 11:02	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	A., Caleb H <changel@nsa.gov>; F., Donald <dwfitzg@nsa.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege; Work Product	Partially Privileged (Redact)	Redacted email communications between DOJ attorney K. Quin* and NSA attorney Anne T.* discussing litigation-related materials prepared by counsel and requesting and conveying information to facilitate the rendition of legal advice relating the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000153	6/29/2022 14:26	T., Anne <actinoc@nsa.gov>	Morales, Arlen M. (OPA) <Arlen.M.Morales@usdoj.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; B., Daniel J <djbases@nsa.gov>; F., Caroline <ceferra@nsa.gov>; C., Scott A <sachutk@nsa.gov>; A., Caleb H <changel@nsa.gov>; F., Donald <dwfitzg@nsa.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Fully Privileged (Withhold)	Email communication from NSA attorney Anne T.* to DOJ (copying DOJ attorney K. Quin*) requesting information to facilitate the rendition of legal advice concerning litigation-related materials relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000154	6/29/2022 16:06	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	T., Anne <actinoc@nsa.gov>; F., Donald <dwfitzg@nsa.gov>; A., Caleb H <changel@nsa.gov>; Prasad, Sivram D CIV OSD OGC (USA) (sivram.d.prasad.civ@mail.mil); Ricci, Brendan M CIV (USA) <brendan.m.ricci.civ@mail.mil>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Owen, Jay (ATR) <Jay.Owen@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to NSA attorneys Anne T.* concerning strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000155	6/29/2022 17:12	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>	Prasad, Sivram D CIV OSD OGC (USA) (sivram.d.prasad.civ@mail.mil); Ricci, Brendan M CIV (USA) <brendan.m.ricci.civ@mail.mil>	Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Fairman, Elizabeth (ATR) <Elizabeth.Fairman@usdoj.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Fully Privileged (Withhold)	Email communication from DOJ attorney K. Quin* to NSA attorneys Caleb A.*, Donald F.*, and Anne T.* concerning litigation-related materials regarding litigation strategy relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000156	6/29/2022 18:33	T., Anne <actinoc@nsa.gov>	Morales, Arlen M. (OPA) <Arlen.M.Morales@usdoj.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; B., Daniel J <djbases@nsa.gov>; F., Caroline <ceferra@nsa.gov>; C., Scott A <sachutk@nsa.gov>; A., Caleb H <changel@nsa.gov>; F., Donald <dwfitzg@nsa.gov>		Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communication from NSA attorney Anne T.* to DOJ (copying DOJ attorney K. Quin*) requesting information to facilitate the rendition of legal advice concerning litigation-related materials relating to the United States' legal claims concerning potential litigation.
USDOJ-TEMP009-00000158	6/29/2022 18:38	T., Anne <actinoc@nsa.gov>	Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>			Department of Justice; Department of Defense	Deliberative Process; Attorney-Client Privilege	Partially Privileged (Redact)	Redacted email communication from DOJ attorney K. Quin* to NSA attorneys Anne T.* concerning strategy relating to the United States' legal claims concerning potential litigation.

EXHIBIT 6

From: Brown, Chris (DC)
Sent: Wednesday, August 10, 2022 12:34 PM
To: Andresian, Alexander (ATR); Owen, Jay (ATR); Cohen, Alex (ATR); todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Reeves, Mandy (DC); Sullivan, Marguerite (DC); Rathbun, Anna (DC); Beller, Charlie (DC); Pfeiffer, Al (Bay Area); Fayne, Kelly (Bay Area); #C-M PROJECT EVERWATCH US ANTITRUST LITIGATION - LW TEAM
Cc: Quin, Kevin (ATR); Hayes, Natalie (ATR); Williams, Bryn (ATR); Montezuma, Catherine (ATR); Rudofsky, Benjamin (ATR); Kramer, Steven (ATR); Mincer, Jonathan (ATR); Arnold, Ariana (USAMD); Markel, Arianna (ATR); Isaacs, Miranda (ATR)
Subject: RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel,

Two weeks ago, DOJ provided a privilege log asserting privilege over 221 documents. DOJ claimed that all 221 documents were attorney-client privileged, and 8 were also subject to work product protection. DOJ did not claim that the deliberative process privilege applied to a single one of the 221 documents it withheld. Despite multiple meet and confers and correspondence exchanged, never once did DOJ make any claim with respect to the deliberative process privilege.

Nevertheless, last night, Defendants received a log that for the first time asserts claims of the deliberative process privilege over 214 documents, and for 47 of these documents, the deliberative process privilege is the sole basis for claiming privilege. For those documents, DOJ seems to have abandoned the attorney-client privilege claims that it previously asserted, and reiterated multiple times, was the sole basis for withholding. The log further claims work product protection over 103 of the documents and attorney-client privilege over 148 documents.

DOJ's new log contains numerous deficiencies and inaccuracies, and the entries do not support the claimed privileges. While Defendants' review of the new log is ongoing, Defendants have identified the below initial list of deficiencies:

- The log contains multiple inaccuracies, omissions, or apparent errors including:
 - Numerous entry "Descriptions" do not provide any description of the communication, making it impossible for Defendants to evaluate the application of any privilege. *See, e.g.*, USDOJ-TEMP003-00000208, USDOJ-TEMP003-00000210, USDOJ-TEMP003-00000212, USDOJ-TEMP003-00000214, USDOJ-TEMP003-00000218, USDOJ-TEMP003-00000221, USDOJ-TEMP003-00000225, USDOJ-TEMP003-00000228.
 - Multiple entries describe "redacted email communications" where the communication has been designated as fully privileged and is being withheld. *See, e.g.*, USDOJ-TEMP001-00000177, USDOJ-TEMP001-00000182, USDOJ-TEMP001-00000187, USDOJ-TEMP001-00000192, USDOJ-TEMP001-00000198, USDOJ-TEMP001-00000204, USDOJ-TEMP001-00000210, USDOJ-TEMP001-00000177, USDOJ-TEMP001-00000216, USDOJ-TEMP001-00000223, USDOJ-TEMP001-00000230..
- Author and recipient names are redacted throughout. There is no basis for these redactions given that the DOJ already disclosed the names of these individuals and their last names appear in their email addresses. Moreover, DOJ's redactions make it more difficult for Defendants to confirm that DOJ has

properly designated *attorneys*, which was a problem that we highlighted during our August 5 meet and confer. Additionally, at least one person on the new log is not an attorney despite DOJ claiming that the person is an attorney. USDOJ-TEMP003-00000262. T. Merkel appears to be Troy Merkel, who is a Program manager in Defense Acquisitions at the National Reconnaissance Office. <https://www.linkedin.com/in/troy-merkel-150297213/>. Please immediately provide a legend with the full name and title of all people included on the log so that Defendants can verify whether DOJ has incorrectly claimed any other persons as attorneys.

- To establish that documents are protected by the deliberative process privilege, DOJ must show that they are “predecisional” and “prepared to assist an agency decisionmaker in arriving at his decision.” *Nat’l Ass’n for Advancement of Colored People v. Bureau of Census*, 401 F. Supp. 3d 608, 611 (D. Md. 2019) (citation omitted). DOJ’s log does not identify the agency decisions it claims were the subject of the allegedly deliberative communications.
- The deliberative-process privilege does not prevent disclosure of “purely factual, investigative matters.” *Ethyl Corp. v. E.P.A.*, 25 F.3d 1241, 1250 (4th Cir. 1994) (citation omitted). DOJ’s new privilege log withholds many documents “conveying information” under the deliberative-process privilege. Withholding these documents is improper.
- There is no basis for asserting the attorney-client privilege over inter-agency communications during a DOJ investigation. DOJ’s new privilege log fails to identify who the “client” is, particularly when multiple agencies are listed as the “Entity Claiming Privilege.”

Please let us know by 5pm today whether DOJ intends to provide a corrected privilege log that addresses the above deficiencies.

Further, the DOJ’s new log states that 137 documents are only partially privileged and a comparison with DOJ’s prior log shows that the DOJ has withdrawn its privilege claim entirely for 7 documents. We look forward to receiving those documents today. Those documents should have been produced over two and a half weeks ago, and discovery ends in a week and a half. Any further delay will compound the prejudice to Defendants. Please further confirm that these documents will contain no redactions other than with respect to items claimed in DOJ’s new log.

Regards,
CB

Chris Brown

LATHAM & WATKINS LLP

555 Eleventh Street, NW | Suite 1000 | Washington, D.C. 20004-1304
D: +1.202.637.2174

From: Brown, Chris (DC)

Sent: Tuesday, August 9, 2022 11:39 PM

To: 'Andresian, Alexander (ATR)' <Alexander.Andresian@usdoj.gov>; Owen, Jay (ATR) <Jay.Owen@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Reeves, Mandy (DC) <Amanda.Reeves@lw.com>; Sullivan, Marguerite (DC) <Marguerite.Sullivan@lw.com>; Rathbun, Anna (DC) <Anna.Rathbun@lw.com>; Beller, Charlie (DC) <Charlie.Beller@lw.com>; Pfeiffer, Al (Bay Area) <Al.Pfeiffer@lw.com>; Fayne, Kelly (Bay Area) <Kelly.Fayne@lw.com>; #C-M PROJECT EVERWATCH US ANTITRUST LITIGATION - LW TEAM

<PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com>

Cc: Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana (USAMD) <Ariana.Arnold@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel,

Please advise when tomorrow you anticipate producing the 137 documents that DOJ asserts are partially privileged and any documents where DOJ is no longer claiming privilege. Defendants reserve all rights and will respond more fully as to DOJ's newly asserted claims.

Regards,
CB

Chris Brown

LATHAM & WATKINS LLP

555 Eleventh Street, NW | Suite 1000 | Washington, D.C. 20004-1304
D: +1.202.637.2174

From: Andresian, Alexander (ATR) <Alexander.Andresian@usdoj.gov>

Sent: Tuesday, August 9, 2022 10:53 PM

To: Brown, Chris (DC) <Chris.Brown@lw.com>; Owen, Jay (ATR) <Jay.Owen@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Reeves, Mandy (DC) <Amanda.Reeves@lw.com>; Sullivan, Marguerite (DC) <Marguerite.Sullivan@lw.com>; Rathbun, Anna (DC) <Anna.Rathbun@lw.com>; Beller, Charlie (DC) <Charlie.Beller@lw.com>; Pfeiffer, Al (Bay Area) <Al.Pfeiffer@lw.com>; Fayne, Kelly (Bay Area) <Kelly.Fayne@lw.com>;

#C-M PROJECT EVERWATCH US ANTITRUST LITIGATION - LW TEAM

<PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com>

Cc: Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana (USAMD) <Ariana.Arnold@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel:

We write in response to your August 7, 2022 letter concerning Plaintiff United States of America's privilege log. To address Defendants' concerns, we provide an amended privilege log to furnish additional detail for Defendants to evaluate our privilege assertions. Your unsupported contention that "nearly identical" descriptions are "improper" is contrary to the local rules. See D. Md. L. R. App'x A, Guideline 10(d)(iii) (noting that privilege designations "may be identif[ied] by categor[y]" under certain circumstances and may be so designated where a document "shares common characteristics such as sender, receiver, author, or specific subject matter."). In any case, in both the last iteration of the privilege log and the current one here, we have conducted a thorough, document-by-document, and fact-specific review of our privilege designations and provided descriptions that are appropriate in their level of specificity. Additionally, as a result of this review, we have determined that some portions of previously withheld documents are not privileged. We have noted those documents on this log and will make a subsequent production of

redacted documents as well as make a subsequent production of documents we have concluded can be produced in full.

Further, after careful consideration, we have revised our privilege designations, including good-faith assertions of the deliberative-process privilege. The deliberative-process privilege “protects the ‘deliberative or policymaking processes’ of government agencies.” *City of Virginia Beach*, 995 F.2d 1247, 1251 (4th Cir. 1993) (quoting *Access Reports v. Department of Justice*, 926 F.2d 1192, 1194 (D.C. Cir. 1993)). Such documents are shielded from discovery where they are “predecisional and deliberative,” *City of Virginia Beach*, 995 F.2d at 1253, and involve inter-agency “recommendations and advice,” *Renegotiation Board v. Grumman Aircraft Engineering Corp.*, 421 U.S. 168, 188 (1975). We also continue to assert that the United States’ interests – which include those of the Department of Defense and National Security Agency – are represented in this action and therefore communications with counsel concerning legal claims in anticipation of this litigation are appropriately protected under the attorney-client privilege and/or attorney-work-product doctrine. Again, we refer back to Jay Owen’s August 3, 2022 letter concerning why we maintain this position.

Regards,
Alex

From: Chris.Brown@lw.com <Chris.Brown@lw.com>

Sent: Sunday, August 7, 2022 9:13 PM

To: Owen, Jay (ATR) <Jay.Owen@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Amanda.Reeves@lw.com; Marguerite.Sullivan@lw.com; Anna.Rathbun@lw.com; Charlie.Beller@lw.com; Al.Pfeiffer@lw.com; Kelly.Fayne@lw.com; PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com

Cc: Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Andresian, Alexander (ATR) <Alexander.Andresian@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana (USAMD) <AArnold@usa.doj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: [EXTERNAL] RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel,

Please see attached correspondence.

Best,
CB

From: Owen, Jay (ATR) <Jay.Owen@usdoj.gov>

Sent: Wednesday, August 3, 2022 8:27 PM

To: Brown, Chris (DC) <Chris.Brown@lw.com>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Reeves, Mandy (DC) <Amanda.Reeves@lw.com>; Sullivan, Marguerite (DC) <Marguerite.Sullivan@lw.com>; Rathbun, Anna (DC) <Anna.Rathbun@lw.com>; Beller, Charlie (DC) <Charlie.Beller@lw.com>; Pfeiffer, Al (Bay Area) <Al.Pfeiffer@lw.com>; Fayne, Kelly (Bay Area) <Kelly.Fayne@lw.com>; #C-M PROJECT EVERWATCH US ANTITRUST LITIGATION - LW TEAM <PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com>

Cc: Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Andresian, Alexander (ATR) <Alexander.Andresian@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana

(USAMD) <Ariana.Arnold@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel,

Please see attached correspondence.

Thanks.

Jay

Jay D. Owen (he/him)
202-476-0248 (cell)
Assistant Chief
Defense, Industrials, and Aerospace Section
Antitrust Division, Department of Justice

From: Chris.Brown@lw.com <Chris.Brown@lw.com>

Sent: Monday, August 1, 2022 8:38 PM

To: Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Amanda.Reeves@lw.com; Marguerite.Sullivan@lw.com; Anna.Rathbun@lw.com; Charlie.Beller@lw.com; Al.Pfeiffer@lw.com; Kelly.Fayne@lw.com; PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com

Cc: Owen, Jay (ATR) <Jay.Owen@usdoj.gov>; Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Andresian, Alexander (ATR) <Alexander.Andresian@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana (USAMD) <AArnold@usa.doj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: [EXTERNAL] RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel,

Please see attached correspondence.

Best,
CB

From: Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>

Sent: Wednesday, July 27, 2022 6:03 PM

To: todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Reeves, Mandy (DC) <Amanda.Reeves@lw.com>; Sullivan, Marguerite (DC) <Marguerite.Sullivan@lw.com>; Rathbun, Anna (DC) <Anna.Rathbun@lw.com>; Beller, Charlie (DC) <Charlie.Beller@lw.com>; Pfeiffer, Al (Bay Area) <Al.Pfeiffer@lw.com>; Fayne, Kelly (Bay Area) <Kelly.Fayne@lw.com>; #C-M PROJECT EVERWATCH US ANTITRUST LITIGATION - LW TEAM <PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com>

Cc: Owen, Jay (ATR) <Jay.Owen@usdoj.gov>; Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Andresian, Alexander (ATR) <Alexander.Andresian@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana (USAMD) <Ariana.Arnold@usdoj.gov>; Markel, Arianna

(ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel,

Attached please find Plaintiff's initial disclosures. Consistent with our obligations under FRCP 26, please also find attached our privilege log (drafted in compliance with App'x A of the Local Rules, Guideline 10.d) for documents withheld from our investigative file. A production containing a small number of documents that were withheld in good faith for privilege review, but later determined to not be privileged, was provided to Defendants earlier this afternoon.

Best,
Alex

Alex Cohen

U.S. Department of Justice | Antitrust Division
450 Fifth Street NW | Washington, D.C. 20530
Mobile: (347) 244-2502 | alex.cohen@usdoj.gov

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EXHIBIT 7

From: Andresian, Alexander (ATR) <Alexander.Andresian@usdoj.gov>
Sent: Wednesday, August 10, 2022 3:34 PM
To: Brown, Chris (DC); Owen, Jay (ATR); Cohen, Alex (ATR); todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Reeves, Mandy (DC); Sullivan, Marguerite (DC); Rathbun, Anna (DC); Beller, Charlie (DC); Pfeiffer, Al (Bay Area); Fayne, Kelly (Bay Area); #C-M PROJECT EVERWATCH US ANTITRUST LITIGATION - LW TEAM
Cc: Quin, Kevin (ATR); Hayes, Natalie (ATR); Williams, Bryn (ATR); Montezuma, Catherine (ATR); Rudofsky, Benjamin (ATR); Kramer, Steven (ATR); Mincer, Jonathan (ATR); Arnold, Ariana (USAMD); Markel, Arianna (ATR); Isaacs, Miranda (ATR)
Subject: RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures
Attachments: Attorney Key - 2022.08.10.xlsx

Counsel:

Plaintiff United States of America's privilege log descriptions are more than sufficient to provide Defendants a means of assessing whether Plaintiff's privilege designations are valid. Plaintiff – in the interests of comity and good faith – has conducted multiple, careful document-by-document reviews to provide Defendants with a privilege log whose privilege assertions and descriptions are grounded in, and fully supported by, applicable case law, the federal rules, and the local rules.

Defendants, on the other hand, have yet to provide any privilege log, which robs Plaintiff of the opportunity that Defendants are so willing to avail themselves of. It is the United States, not the Defendants, that has been prejudiced by Defendants' delays in producing their own privilege logs.

Nevertheless, Plaintiff continues to cooperate with Defendants by providing the following responses:

- Production of documents: Non-privileged and partially withheld documents are currently being processed for production. They will be produced to Defendants as soon as possible.
- Descriptions of communications: Each of these documents relate to legal advice and/or the United States' legal claims concerning potential litigation relating to the transaction at the heart of Plaintiff's complaint.
- Redacted documents that are completely withheld: The designation of redacted documents as completely withheld was in error. The following documents will be produced with redactions: USDOJ-TEMP001-00000177, USDOJ-TEMP001-00000182, USDOJ-TEMP001-00000187, USDOJ-TEMP001-00000192, USDOJ-TEMP001-00000198, USDOJ-TEMP001-00000204, USDOJ-TEMP001-00000210, USDOJ-TEMP001-00000216, USDOJ-TEMP001-00000223, USDOJ-TEMP001-00000230, USDOJ-TEMP001-00000237, USDOJ-TEMP001-00000244, USDOJ-TEMP001-00000250, USDOJ-TEMP001-00000257, USDOJ-TEMP001-00000264
- Redactions of NSA authors/recipient names: The redaction of author/recipient names is consistent with 50 U.S.C. § 3065, and NSA has asked DOJ to avoid revealing employee affiliations in this and future productions. DOJ is available to discuss this issue over the phone and to orally provide these names in full, just as we have offered respecting any similar redactions in the production.
- T. Merkel: T. Merkel* is Tyler Merkel, Principal Deputy General Counsel at the National Reconnaissance Office. He is properly listed as an attorney.
- Attorney Key: Please find attached a key providing the names of all individuals listed as attorneys on the privilege log. The names of NSA employees remain redacted per 50 U.S.C. § 3065.

Regards,
Alex

From: Chris.Brown@lw.com <Chris.Brown@lw.com>

Sent: Wednesday, August 10, 2022 1:34 PM

To: Andresian, Alexander (ATR) <Alexander.Andresian@usdoj.gov>; Owen, Jay (ATR) <Jay.Owen@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Amanda.Reeves@lw.com; Marguerite.Sullivan@lw.com; Anna.Rathbun@lw.com; Charlie.Beller@lw.com; Al.Pfeiffer@lw.com; Kelly.Fayne@lw.com; PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com

Cc: Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana (USAMD) <AArnold@usa.doj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: [EXTERNAL] RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel,

Two weeks ago, DOJ provided a privilege log asserting privilege over 221 documents. DOJ claimed that all 221 documents were attorney-client privileged, and 8 were also subject to work product protection. DOJ did not claim that the deliberative process privilege applied to a single one of the 221 documents it withheld. Despite multiple meet and confers and correspondence exchanged, never once did DOJ make any claim with respect to the deliberative process privilege.

Nevertheless, last night, Defendants received a log that for the first time asserts claims of the deliberative process privilege over 214 documents, and for 47 of these documents, the deliberative process privilege is the sole basis for claiming privilege. For those documents, DOJ seems to have abandoned the attorney-client privilege claims that it previously asserted, and reiterated multiple times, was the sole basis for withholding. The log further claims work product protection over 103 of the documents and attorney-client privilege over 148 documents.

DOJ's new log contains numerous deficiencies and inaccuracies, and the entries do not support the claimed privileges. While Defendants' review of the new log is ongoing, Defendants have identified the below initial list of deficiencies:

- The log contains multiple inaccuracies, omissions, or apparent errors including:
 - Numerous entry "Descriptions" do not provide any description of the communication, making it impossible for Defendants to evaluate the application of any privilege. *See, e.g.*, USDOJ-TEMP003-00000208, USDOJ-TEMP003-00000210, USDOJ-TEMP003-00000212, USDOJ-TEMP003-00000214, USDOJ-TEMP003-00000218, USDOJ-TEMP003-00000221, USDOJ-TEMP003-00000225, USDOJ-TEMP003-00000228.
 - Multiple entries describe "redacted email communications" where the communication has been designated as fully privileged and is being withheld. *See, e.g.*, USDOJ-TEMP001-00000177, USDOJ-TEMP001-00000182, USDOJ-TEMP001-00000187, USDOJ-TEMP001-00000192, USDOJ-TEMP001-00000198, USDOJ-TEMP001-00000204, USDOJ-TEMP001-00000210, USDOJ-TEMP001-00000177, USDOJ-TEMP001-00000216, USDOJ-TEMP001-00000223, USDOJ-TEMP001-00000230..
- Author and recipient names are redacted throughout. There is no basis for these redactions given that the DOJ already disclosed the names of these individuals and their last names appear in their email addresses. Moreover, DOJ's redactions make it more difficult for Defendants to confirm that DOJ has

properly designated *attorneys*, which was a problem that we highlighted during our August 5 meet and confer. Additionally, at least one person on the new log is not an attorney despite DOJ claiming that the person is an attorney. USDOJ-TEMP003-00000262. T. Merkel appears to be Troy Merkel, who is a Program manager in Defense Acquisitions at the National Reconnaissance Office. <https://www.linkedin.com/in/troy-merkel-150297213/>. Please immediately provide a legend with the full name and title of all people included on the log so that Defendants can verify whether DOJ has incorrectly claimed any other persons as attorneys.

- To establish that documents are protected by the deliberative process privilege, DOJ must show that they are “predecisional” and “prepared to assist an agency decisionmaker in arriving at his decision.” *Nat’l Ass’n for Advancement of Colored People v. Bureau of Census*, 401 F. Supp. 3d 608, 611 (D. Md. 2019) (citation omitted). DOJ’s log does not identify the agency decisions it claims were the subject of the allegedly deliberative communications.
- The deliberative-process privilege does not prevent disclosure of “purely factual, investigative matters.” *Ethyl Corp. v. E.P.A.*, 25 F.3d 1241, 1250 (4th Cir. 1994) (citation omitted). DOJ’s new privilege log withholds many documents “conveying information” under the deliberative-process privilege. Withholding these documents is improper.
- There is no basis for asserting the attorney-client privilege over inter-agency communications during a DOJ investigation. DOJ’s new privilege log fails to identify who the “client” is, particularly when multiple agencies are listed as the “Entity Claiming Privilege.”

Please let us know by 5pm today whether DOJ intends to provide a corrected privilege log that addresses the above deficiencies.

Further, the DOJ’s new log states that 137 documents are only partially privileged and a comparison with DOJ’s prior log shows that the DOJ has withdrawn its privilege claim entirely for 7 documents. We look forward to receiving those documents today. Those documents should have been produced over two and a half weeks ago, and discovery ends in a week and a half. Any further delay will compound the prejudice to Defendants. Please further confirm that these documents will contain no redactions other than with respect to items claimed in DOJ’s new log.

Regards,
CB

Chris Brown

LATHAM & WATKINS LLP

555 Eleventh Street, NW | Suite 1000 | Washington, D.C. 20004-1304
D: +1.202.637.2174

From: Brown, Chris (DC)

Sent: Tuesday, August 9, 2022 11:39 PM

To: 'Andresian, Alexander (ATR)' <Alexander.Andresian@usdoj.gov>; Owen, Jay (ATR) <Jay.Owen@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Reeves, Mandy (DC) <Amanda.Reeves@lw.com>; Sullivan, Marguerite (DC) <Marguerite.Sullivan@lw.com>; Rathbun, Anna (DC) <Anna.Rathbun@lw.com>; Beller, Charlie (DC) <Charlie.Beller@lw.com>; Pfeiffer, Al (Bay Area) <Al.Pfeiffer@lw.com>; Fayne, Kelly (Bay Area) <Kelly.Fayne@lw.com>;
#C-M PROJECT EVERWATCH US ANTITRUST LITIGATION - LW TEAM

<PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com>

Cc: Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana (USAMD) <Ariana.Arnold@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel,

Please advise when tomorrow you anticipate producing the 137 documents that DOJ asserts are partially privileged and any documents where DOJ is no longer claiming privilege. Defendants reserve all rights and will respond more fully as to DOJ's newly asserted claims.

Regards,
CB

Chris Brown

LATHAM & WATKINS LLP

555 Eleventh Street, NW | Suite 1000 | Washington, D.C. 20004-1304
D: +1.202.637.2174

From: Andresian, Alexander (ATR) <Alexander.Andresian@usdoj.gov>

Sent: Tuesday, August 9, 2022 10:53 PM

To: Brown, Chris (DC) <Chris.Brown@lw.com>; Owen, Jay (ATR) <Jay.Owen@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Reeves, Mandy (DC) <Amanda.Reeves@lw.com>; Sullivan, Marguerite (DC) <Marguerite.Sullivan@lw.com>; Rathbun, Anna (DC) <Anna.Rathbun@lw.com>; Beller, Charlie (DC) <Charlie.Beller@lw.com>; Pfeiffer, Al (Bay Area) <Al.Pfeiffer@lw.com>; Fayne, Kelly (Bay Area) <Kelly.Fayne@lw.com>; #C-M PROJECT EVERWATCH US ANTITRUST LITIGATION - LW TEAM <PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com>

Cc: Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana (USAMD) <Ariana.Arnold@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel:

We write in response to your August 7, 2022 letter concerning Plaintiff United States of America's privilege log. To address Defendants' concerns, we provide an amended privilege log to furnish additional detail for Defendants to evaluate our privilege assertions. Your unsupported contention that "nearly identical" descriptions are "improper" is contrary to the local rules. See D. Md. L. R. App'x A, Guideline 10(d)(iii) (noting that privilege designations "may be identif[ied] by categor[y]" under certain circumstances and may be so designated where a document "shares common characteristics such as sender, receiver, author, or specific subject matter."). In any case, in both the last iteration of the privilege log and the current one here, we have conducted a thorough, document-by-document, and fact-specific review of our privilege designations and provided descriptions that are appropriate in their level of specificity. Additionally, as a result of this review, we have determined that some portions of previously withheld documents are not privileged. We have noted those documents on this log and will make a subsequent production of

redacted documents as well as make a subsequent production of documents we have concluded can be produced in full.

Further, after careful consideration, we have revised our privilege designations, including good-faith assertions of the deliberative-process privilege. The deliberative-process privilege “protects the ‘deliberative or policymaking processes’ of government agencies.” *City of Virginia Beach*, 995 F.2d 1247, 1251 (4th Cir. 1993) (quoting *Access Reports v. Department of Justice*, 926 F.2d 1192, 1194 (D.C. Cir. 1993)). Such documents are shielded from discovery where they are “predecisional and deliberative,” *City of Virginia Beach*, 995 F.2d at 1253, and involve inter-agency “recommendations and advice,” *Renegotiation Board v. Grumman Aircraft Engineering Corp.*, 421 U.S. 168, 188 (1975). We also continue to assert that the United States’ interests – which include those of the Department of Defense and National Security Agency – are represented in this action and therefore communications with counsel concerning legal claims in anticipation of this litigation are appropriately protected under the attorney-client privilege and/or attorney-work-product doctrine. Again, we refer back to Jay Owen’s August 3, 2022 letter concerning why we maintain this position.

Regards,
Alex

From: Chris.Brown@lw.com <Chris.Brown@lw.com>

Sent: Sunday, August 7, 2022 9:13 PM

To: Owen, Jay (ATR) <Jay.Owen@usdoj.gov>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Amanda.Reeves@lw.com; Marguerite.Sullivan@lw.com; Anna.Rathbun@lw.com; Charlie.Beller@lw.com; Al.Pfeiffer@lw.com; Kelly.Fayne@lw.com; PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com

Cc: Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Andresian, Alexander (ATR) <Alexander.Andresian@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana (USAMD) <AArnold@usa.doj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: [EXTERNAL] RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel,

Please see attached correspondence.

Best,
CB

From: Owen, Jay (ATR) <Jay.Owen@usdoj.gov>

Sent: Wednesday, August 3, 2022 8:27 PM

To: Brown, Chris (DC) <Chris.Brown@lw.com>; Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Reeves, Mandy (DC) <Amanda.Reeves@lw.com>; Sullivan, Marguerite (DC) <Marguerite.Sullivan@lw.com>; Rathbun, Anna (DC) <Anna.Rathbun@lw.com>; Beller, Charlie (DC) <Charlie.Beller@lw.com>; Pfeiffer, Al (Bay Area) <Al.Pfeiffer@lw.com>; Fayne, Kelly (Bay Area) <Kelly.Fayne@lw.com>; #C-M PROJECT EVERWATCH US ANTITRUST LITIGATION - LW TEAM <PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com>

Cc: Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Andresian, Alexander (ATR) <Alexander.Andresian@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana

(USAMD) <Ariana.Arnold@usdoj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel,

Please see attached correspondence.

Thanks.

Jay

Jay D. Owen (he/him)
202-476-0248 (cell)
Assistant Chief
Defense, Industrials, and Aerospace Section
Antitrust Division, Department of Justice

From: Chris.Brown@lw.com <Chris.Brown@lw.com>

Sent: Monday, August 1, 2022 8:38 PM

To: Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>; todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Amanda.Reeves@lw.com; Marguerite.Sullivan@lw.com; Anna.Rathbun@lw.com; Charlie.Beller@lw.com; Al.Pfeiffer@lw.com; Kelly.Fayne@lw.com; PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com

Cc: Owen, Jay (ATR) <Jay.Owen@usdoj.gov>; Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Andresian, Alexander (ATR) <Alexander.Andresian@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana (USAMD) <AArnold@usa.doj.gov>; Markel, Arianna (ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: [EXTERNAL] RE: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel,

Please see attached correspondence.

Best,
CB

From: Cohen, Alex (ATR) <Alex.Cohen@usdoj.gov>

Sent: Wednesday, July 27, 2022 6:03 PM

To: todd.stenerson@shearman.com; david.higbee@shearman.com; ryan.shores@shearman.com; Reeves, Mandy (DC) <Amanda.Reeves@lw.com>; Sullivan, Marguerite (DC) <Marguerite.Sullivan@lw.com>; Rathbun, Anna (DC) <Anna.Rathbun@lw.com>; Beller, Charlie (DC) <Charlie.Beller@lw.com>; Pfeiffer, Al (Bay Area) <Al.Pfeiffer@lw.com>; Fayne, Kelly (Bay Area) <Kelly.Fayne@lw.com>; #C-M PROJECT EVERWATCH US ANTITRUST LITIGATION - LW TEAM <PROJECTEVERWATCHUSANTITRUSTLITIGATION.LWTEAM@lw.com>

Cc: Owen, Jay (ATR) <Jay.Owen@usdoj.gov>; Quin, Kevin (ATR) <Kevin.Quin@usdoj.gov>; Hayes, Natalie (ATR) <Natalie.Hayes@usdoj.gov>; Williams, Bryn (ATR) <Bryn.Williams@usdoj.gov>; Andresian, Alexander (ATR) <Alexander.Andresian@usdoj.gov>; Montezuma, Catherine (ATR) <Catherine.Montezuma@usdoj.gov>; Rudofsky, Benjamin (ATR) <Benjamin.Rudofsky@usdoj.gov>; Kramer, Steven (ATR) <Steven.Kramer@usdoj.gov>; Mincer, Jonathan (ATR) <Jonathan.Mincer@usdoj.gov>; Arnold, Ariana (USAMD) <Ariana.Arnold@usdoj.gov>; Markel, Arianna

(ATR) <Arianna.Markel@usdoj.gov>; Isaacs, Miranda (ATR) <Miranda.Isaacs@usdoj.gov>

Subject: U.S. v. Booz Allen/EverWatch - Plaintiff's Initial Disclosures

Counsel,

Attached please find Plaintiff's initial disclosures. Consistent with our obligations under FRCP 26, please also find attached our privilege log (drafted in compliance with App'x A of the Local Rules, Guideline 10.d) for documents withheld from our investigative file. A production containing a small number of documents that were withheld in good faith for privilege review, but later determined to not be privileged, was provided to Defendants earlier this afternoon.

Best,
Alex

Alex Cohen

U.S. Department of Justice | Antitrust Division
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